

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

YOUNG AGAIN PRODUCTS, INC.,	§	
	§	
Judgment Creditor,	§	
	§	
VS.	§	CIVIL ACTION NO. 09-MC-0282
	§	
JOHN ACORD, <i>et al.</i> ,	§	
	§	
Judgment Debtors.	§	

TEMPORARY RESTRAINING ORDER

Young Again Products, Inc. (YAP) has moved for an ex parte Temporary Restraining Order against the defendant judgment debtors. Based on the record, including the exhibits to the motion and the supporting Memorandum of Law, this court grants the motion, based on the following findings of fact and conclusions of law.

If no injunction issues during the pendency of YAP's § 24.008(b) motion, and if the judgment debtors move assets beyond the reach of both YAP and this court's jurisdiction during that time, YAP will be irreparably damaged in its ability to levy execution on the assets. In light of the evidence indicating the judgment debtors' past practice of moving or transferring assets beyond the reach of creditors (and the jurisdiction of the courts), the TRO is issued without notice to the judgment debtors. The judgment debtors will suffer no prejudice if the TRO is issued without notice, because this Order simply maintains the status quo.

Until notice is provided and a hearing is held on the propriety of a preliminary injunction or this court rules on YAP's § 24.008(b) motion, whichever first occurs, the judgment debtors, Marcella Ortega and John Acord, or their agents, servants, employees, or other persons acting in concert with them, including Sean Ortega and Kenneth Acord, are enjoined from any and all of the following:

1. moving, transferring, or destroying any asset of the newtrients21 business, including all product inventory, labels, supplies, equipment and machinery, computers, hard drives, servers, copiers, fax machines, label makers, all data in electronic and hard copy form, electronic storage devices (including but not limited to CDs, disks, and flash drives), intellectual property, customer lists and customer information, vendor lists and vendor information, and any and all assets of the business;

2. creating, maintaining for personal benefit, or transferring to themselves or others any copies of the electronic data of the business, including customer lists, customer information, or any of the content of the newtrients21.com website (including its products, product advertising and descriptions, research library, and HTML codes); and

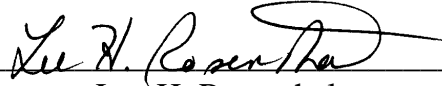
3. removing, transferring, or hiding any personal property located at 9022 Deer Lodge Road, Magnolia, Texas; provided, however, that automobiles may come and go from the property in the ordinary course of travel so long as they are not being used to move or transfer any assets off the property.

A hearing will be held on **Monday, October 5, at 8:30 a.m. in Courtroom 11B** on whether it is necessary to continue the TRO, to schedule the preliminary injunction hearing,

or to hear evidence and argument on YAP's § 24.008(b) motion. Counsel for the judgment creditor must provide notice of this Order and of the hearing to the judgment debtors.

It is not necessary that YAP post a bond in connection with this Temporary Restraining Order.

SIGNED on September 28, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge